

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7972 of 1990

For Approval and Signature:

Hon'ble MR.JUSTICE N.N.MATHUR

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

SURAT TEXTILE MARKET COOP SHOP & WAREHOUSES SOC LTD

Versus

AMRUTLAL & BROS.

Appearance:

MR ARUN H MEHTA for Petitioner

MS VASUBEN P SHAH for Respondent No. 1

CORAM : MR.JUSTICE N.N.MATHUR

Date of decision: 04/09/96

ORAL JUDGEMENT

In this petition, the respondent-plaintiff has filed Lavad Suit No.224 of 1985 before the Board of Nominee, Surat, challenging the resolution adopted by the petitioner-Society reserving 55 offices for common facilities. The Board of Nominee rejected the prayer for interim relief against which the matter was carried in

Revision before the State Cooperative Tribunal, Ahmedabad. The Tribunal by order dated 16.10.1990, allowed the said Revision Application and granted interim relief as prayer for in Exh. 82.

2. I have heard the learned Counsel for the parties. This Special Civil Application is directed against the interim order and in view of this, I am not inclined to interfere in exercise of powers under Articles 226 and 227 of the Constitution of India, more particularly, in view of the arrangement which is going on for number of years. However, keeping in view the fact that the lavad suit was filed in the year 1985, it is directed that the Board of Nominee shall dispose of the suit within a period of 6 months from the date of receipt of the writ.

In view of the aforesaid, this Special Civil Application is disposed of. Rule discharged. The ad-interim relief is vacated. No order as to costs.

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